

**CISNEROS DECLARATION**  
**EXHIBIT T**  
**REDACTED VERSION**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4  
5

6 IN RE: HIGH-TECH EMPLOYEE )  
7 ANTITRUST LITIGATION )  
8 ) No. 11-CV-2509-LHK  
9 THIS DOCUMENT RELATES TO: )  
10 ALL ACTIONS. )  
11 \_\_\_\_\_ )  
12  
13  
14

15 VIDEO DEPOSITION OF RON OKAMOTO  
16 February 27, 2013  
17  
18

19 REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR  
20  
21  
22  
23  
24  
25

09:32:02 1 their best people, to make that critical transition  
09:32:05 2 without having the noise of cold calling as being part  
09:32:08 3 of the things that could potentially hold them back from  
09:32:11 4 doing that.

09:32:12 5 Q. Did you speak with Steve Jobs about the issues  
09:32:16 6 that you've been discussing prior to talking to the  
09:32:18 7 recruiting team?

09:32:20 8 A. When you say "the issues," can you please  
09:32:24 9 explain.

09:32:25 10 Q. Sure. The -- you spoke with recruiters at a  
09:32:27 11 certain point about ceasing cold calling practices; is  
09:32:30 12 that accurate?

09:32:30 13 A. What I recall is having a conversation with a  
09:32:33 14 gentleman named Mark Bentley where I told him that the  
09:32:37 15 cold calling practices was getting in the way or at  
09:32:39 16 least, you know, creating a -- not a great atmosphere  
09:32:41 17 for us to be able to do this sensitive work.

09:32:43 18 Q. Did you request that he cease cold calling  
09:32:46 19 Adobe employees at that time?

09:32:47 20 A. I told him it wasn't a good idea.

09:32:50 21 Q. Did you speak with Steve Jobs about your  
09:32:52 22 request prior to speaking to Mark Bentley?

09:32:59 23 A. I don't recall if I did.

09:33:00 24 Q. Did you ask Mr. Bentley not to recruit any  
09:33:05 25 employees from Adobe?

09:33:06 1 A. No, I didn't. What I told -- what I told him  
09:33:08 2 is, it was the practice of cold calling that was causing  
09:33:11 3 the issues. Which is pretty much our guys grabbing a  
09:33:15 4 phone book and just starting to make calls to people.  
09:33:18 5 You know, this was not about not hiring people. This  
09:33:21 6 was not about -- this was about cold calling. And so  
09:33:24 7 that was the thing that was -- that was upsetting.

09:33:32 8 Q. Which engineering teams at Adobe were working  
09:33:35 9 with Apple on these transitions?

09:33:40 10 A. At the time, I don't think there wasn't a  
09:33:43 11 product that Adobe was working on that didn't have to go  
09:33:46 12 through the transition. But, of course, as I mentioned,  
09:33:49 13 one of the most important was Photoshop. So one way or  
09:33:53 14 the other, all of Adobe's products that run on the Mac  
09:33:57 15 ultimately had to get worked on.

09:33:59 16 Q. How many engineers were working on the -- on  
09:34:00 17 the -- that team at Adobe?

09:34:02 18 A. I don't know -- I don't know specifically what  
09:34:03 19 the number or the count was.

09:34:06 20 Q. Did you ask Mr. Bentley to limit the practice  
09:34:09 21 of cold calling just with respect to the engineers who  
09:34:11 22 were working on the Adobe-Apple collaborations?

09:34:14 23 A. I don't recall if I gave him that specific  
09:34:16 24 instruction.

09:34:17 25 Q. You told him to cease cold calling from Adobe

09:34:21 1 generally; is that accurate?

09:34:22 2 A. No. What I recall is that I told him that the  
09:34:24 3 practice that he was engaged in, the cold calling, was  
09:34:27 4 something that, again, was not creating the right  
09:34:31 5 atmosphere for the kind of collaboration that we wanted.

09:34:35 6 Q. Did you request that Steve Jobs speak with  
09:34:38 7 anyone at Adobe about the decision not to cold call?

09:34:40 8 A. I don't recall.

09:34:41 9 Q. Are you aware that Steve Jobs had a  
09:34:43 10 conversation or email conversation with the CEO of Adobe  
09:34:48 11 regarding cold calling?

09:34:53 12 A. I don't know if he had that. But, again, you  
09:34:55 13 know, what I did was talked to Mark Bentley about the  
09:34:58 14 issues that we had with respect to the sensitivity.

09:35:01 15 Q. My question was whether you were aware that  
09:35:03 16 Mr. Jobs had conversations with Adobe's CEO --

09:35:06 17 A. I don't recall.

09:35:06 18 Q. -- about the practice of recruiting.

09:35:09 19 You're not aware?

09:35:11 20 Are you aware or you don't know?

09:35:14 21 MR. RILEY: I believe he answered "I don't  
09:35:15 22 recall." But you two are starting to talk over each  
09:35:18 23 other.

09:35:19 24 THE WITNESS: I don't recall.

09:35:29 25 MS. SCHALMAN-BERGEN: Q. Are you aware of

10:35:17 1 Q. Did you receive more compensation at FirePower  
10:35:20 2 when you came on than you had been previously receiving  
10:35:24 3 at Canon?

10:35:25 4 A. I don't remember if I did or I didn't.

10:35:29 5 Q. Did you receive any ownership, stock options in  
10:35:35 6 FirePower?

10:35:35 7 A. Yes, I believe I did.

10:35:47 8 Q. Did you ever meet Steve Jobs when you worked at  
10:35:50 9 FirePower?

10:35:50 10 A. No.

10:35:51 11 Q. When was the first time you met Steve Jobs?

10:35:55 12 A. When I went to Apple to talk to him about the  
10:35:58 13 job opportunity at Apple.

10:36:01 14 Oh, I'm sorry. Excuse me. I mentioned before  
10:36:05 15 that I did meet him once, which was at a meeting that I  
10:36:09 16 had when I was at Adobe. This is the one I had  
10:36:12 17 mentioned prior where I spoke about -- you know, the  
10:36:14 18 only thing I can remember is we spoke about the font  
10:36:16 19 business. But that was just that meeting. And then the  
10:36:19 20 next time was when we spoke about the job opportunity at  
10:36:22 21 Apple.

10:36:23 22 Q. Do you recall what year it was that you met him  
10:36:25 23 to discuss the font business?

10:36:28 24 A. No. It was just sometime during my time at  
10:36:30 25 Adobe.

10:36:31 1 Q. Prior to 2001?

10:36:33 2 A. Probably.

10:36:38 3 Q. You came to Apple in 2001; is that correct?

10:36:40 4 A. Oh, yeah. So it had to be prior. What I mean  
10:36:43 5 is, you know, was it before, earlier, you know, middle.

10:36:56 6 Q. Did anyone at FirePower inform anyone at Canon  
10:37:01 7 that you were applying for the job?

10:37:09 8 A. No, I don't believe -- I don't believe so.

10:37:19 9 Q. When FirePower made you the offer, did they  
10:37:21 10 require that you leave employment with Canon before they  
10:37:25 11 would extend an offer to you?

10:37:27 12 A. No, they did not.

10:37:38 13 Q. Who did you report to in your last job title at  
10:37:44 14 Canon -- at Canon?

10:37:45 15 A. A gentleman by the name of Peter Bergman.

10:37:49 16 Q. Was Peter aware that you were applying for the  
10:37:52 17 job at FirePower prior to your receiving the offer?

10:37:57 18 A. Yes.

10:37:58 19 Q. Did he provide a reference for you?

10:38:01 20 A. I don't believe he did.

10:38:09 21 Q. After FirePower, you left to go to Macromedia;  
10:38:12 22 is that accurate?

10:38:13 23 A. Yes.

10:38:14 24 Q. What year did you join Macromedia?

10:38:24 25 A. Had to be around 1990 -- 1995, 1996.

10:38:39 1 Q. Was the job at Macromedia based in Northern  
10:38:42 2 California as well?

10:38:50 3 A. Yes.

10:38:51 4 Q. What was the job title that you were hired into  
10:38:54 5 at Macromedia?

10:38:55 6 A. Director of product marketing.

10:39:00 7 Q. As director of product marketing, were your  
10:39:02 8 responsibilities different than your responsibilities at  
10:39:05 9 FirePower?

10:39:08 10 A. No, but the transition was between FirePower  
10:39:11 11 was a PC hardware company and Macromedia was a software  
10:39:15 12 company. So the basic product management  
10:39:17 13 responsibilities were very similar, but the type of  
10:39:20 14 products were different.

10:39:23 15 Q. How did you become aware of the opportunity at  
10:39:25 16 Macromedia?

10:39:26 17 A. A friend had told me.

10:39:31 18 Q. Who was the friend?

10:39:34 19 A. Phil Schiller.

10:39:37 20 Q. Where does Phil Schiller work now?

10:39:40 21 A. Apple.

10:39:41 22 Q. What's his job title?

10:39:43 23 A. I believe he's EVP of marketing.

10:39:53 24 Q. From where did you become friends with Phil  
10:39:57 25 Schiller?

11:01:34 1 A. Yes, I did.

11:01:35 2 Q. How frequently?

11:01:36 3 A. Again, not that frequently. It was primarily  
11:01:39 4 in those forecasting meetings.

11:01:41 5 Q. While you were at Adobe, did you have any  
11:01:54 6 responsibilities with respect to setting compensation  
11:01:55 7 for the people that you managed?

11:02:00 8 A. Well, similar to what I described at  
11:02:04 9 Macromedia, at Adobe, again, we had a recruiting  
11:02:07 10 department. So when we had open requisitions, we would  
11:02:10 11 work with the recruiting department on getting resumes  
11:02:13 12 of potential candidates. We would take a look at that.  
11:02:17 13 And if we saw somebody we wanted to hire, we would take  
11:02:20 14 a look and make sure that we could, you know, offer  
11:02:22 15 something that we think they would accept. And so to  
11:02:25 16 that extent, that we were -- you know, we were one of  
11:02:28 17 the feedback loops in terms of creating the offer.

11:02:34 18 Q. While you were at Adobe, did you have any  
11:02:36 19 responsibilities with respect to recruiting?

11:02:43 20 A. Well, there's two things, right, is what I  
11:02:45 21 said, which is, you know, there were the open  
11:02:47 22 requisitions that would do that. But if I knew some  
11:02:50 23 people that I had known from a prior life, similar to  
11:02:53 24 what happened to me through my career, if I felt that  
11:02:56 25 they would be interested or, you know, possible good

11:02:58 1 fit, I could just ask them if they were interested in  
11:03:01 2 looking at a job at Adobe. But these were people I knew  
11:03:06 3 from my, you know, prior lives.

11:03:10 4 Q. Do you know whether recruiters at Adobe used  
11:03:14 5 cold calling as a means to attract candidates?

11:03:17 6 A. Not to my knowledge.

11:03:20 7 Q. No, they didn't, or no, you're not aware of  
11:03:22 8 whether they did or not?

11:03:24 9 A. No, I'm not aware.

11:03:31 10 Q. While at Adobe, did you ever have occasion to  
11:03:35 11 work on any collaborations between Adobe and Apple?

11:03:41 12 A. Yes.

11:03:41 13 Q. What were those?

11:03:42 14 A. It was some performance optimizations that we  
11:03:45 15 needed to do with Photoshop. There was a -- there was  
11:03:48 16 some things, there were some plug-ins that we had  
11:03:54 17 created that allowed Photoshop to run better on the Mac  
11:03:58 18 platform and we worked with Adobe -- I mean, rather with  
11:04:00 19 Apple, because it was Adobe at the time. We worked with  
11:04:03 20 Apple to make sure that those things got built, and then  
11:04:06 21 we worked with them so that they were released to the  
11:04:10 22 public so people could get a better performing version  
11:04:13 23 of Photoshop on their Macs.

11:04:16 24 Q. What was your role in that process?

11:04:18 25 A. Basically making sure that those plug-ins were

11:04:21 1 launched and they got out to the customers' hands.

11:04:25 2 Q. What steps were involved in making sure the  
11:04:27 3 plug-ins were launched?

11:04:29 4 A. Let's see. Well, obviously we had to confirm  
11:04:37 5 that they were done, they were blessed by engineering.

11:04:40 6 And I can't remember if we made it available on the

11:04:47 7 website or how we distributed it, but there was --

11:04:51 8 again, it's a while ago, so I'm -- but we were able,

11:04:55 9 then, to make sure that those plug-ins were made

11:04:58 10 available to you, to existing Photoshop customers so

11:05:01 11 that whenever -- you know, if they had the Mac, they

11:05:03 12 could get the plug-ins, put it in, and then get a better

11:05:07 13 performing version. The specifics of how they got it, I

11:05:10 14 really can't recall now.

11:05:11 15 Q. In order for this project to occur, did

11:05:14 16 engineers at Adobe have to work with engineers at Apple?

11:05:17 17 A. Yes, they did.

11:05:19 18 Q. Do you know how many engineers at Adobe worked

11:05:21 19 with how many engineers at Apple?

11:05:22 20 A. No, I don't.

11:05:25 21 Q. Did you super- -- you didn't supervise any of  
11:05:27 22 the engineers at Adobe?

11:05:28 23 A. No, I did not supervise the engineering work.

11:05:31 24 Q. Who did supervise the engineers that were  
11:05:32 25 working with Apple?

11:17:31 1 MS. SCHALMAN-BERGEN: We've been going for  
11:17:31 2 about another hour. You want to take a break?

11:17:33 3 MR. RILEY: All right.

11:17:34 4 MS. SCHALMAN-BERGEN: Thank you.

11:17:35 5 THE VIDEOGRAHER: This is the end of video  
11:17:36 6 No. 2. The time is 11:17 a.m. We're going off the  
11:17:38 7 record.

11:17:40 8 (Recess taken.)

11:26:18 9 THE VIDEOGRAHER: This is the beginning of  
11:26:19 10 video No. 3 in the deposition of Ron Okamoto. The time  
11:26:23 11 is 11:26 a.m. We're back on the record.

11:26:28 12 MS. SCHALMAN-BERGEN: Q. Mr. Okamoto, is  
11:26:29 13 there any reason why you can't continue to give me  
11:26:31 14 your best testimony?

11:26:32 15 A. No.

11:26:45 16 Q. How would you describe the relationship between  
11:26:47 17 Adobe and Apple during the time when you worked at  
11:26:49 18 Adobe?

11:26:53 19 A. It was a good relationship.

11:27:00 20 Q. How would you describe the relationship between  
11:27:02 21 Adobe and Apple during the time you worked -- have  
11:27:06 22 worked at Apple?

11:27:09 23 A. It's been fundamentally a good relationship,  
11:27:11 24 but there's been challenges at times.

11:27:14 25 Q. What sorts of challenges?

11:27:16 1 A. Most specifically in the areas where we  
11:27:18 2 compete, where we have similar products going after  
11:27:21 3 similar customers.

11:27:21 4 Q. What areas are those?

11:27:23 5 A. That would be in the film editing area.

11:27:27 6 Q. Any other areas?

11:27:28 7 A. That's -- I believe that's primarily it.

11:27:40 8 Q. Have there been any sorts of challenges that  
11:27:43 9 affected the relationship with -- between Adobe and  
11:27:45 10 Apple with respect to Flash?

11:27:50 11 A. Well, there was -- there was a -- there was a  
11:27:57 12 challenge in that Flash is something that Adobe really  
11:28:01 13 wanted to see on our mobile platform, and it's something  
11:28:04 14 that we didn't put on there.

11:28:09 15 Q. Did the challenge with Flash cause any tension  
11:28:12 16 or disruption between the Apple and Adobe relationship?

11:28:17 17 A. I wouldn't call it disruption. Definitely  
11:28:20 18 there was a difference of opinion there.

11:28:26 19 Q. Did the difference of opinion lead Apple and  
11:28:29 20 Adobe to cease collaborating with each other?

11:28:34 21 A. No, not on the important things.

11:28:37 22 Q. What were the important things?

11:28:38 23 A. Again, the same things that I've -- I spoke  
11:28:41 24 about before: Making sure that their products were  
11:28:44 25 running well on our platform.

11:28:49 1 Q. When did the challenge with Flash occur?

11:28:56 2 A. I believe it happened around the time that we  
11:28:59 3 introduced the iPhone.

11:29:01 4 Q. What year would that be?

11:29:03 5 A. What's that, about five years ago, so 2007,  
11:29:10 6 2008, in that time frame.

11:29:16 7 Q. In 2001, you left Adobe to go to Apple; is that  
11:29:20 8 accurate?

11:29:21 9 A. Yes.

11:29:23 10 Q. What was your position when you began working  
11:29:26 11 at Apple?

11:29:27 12 A. Vice president of developer relations.

11:29:35 13 Q. How did you learn about the opportunity at  
11:29:37 14 Apple?

11:29:39 15 A. Phil Schiller gave me a phone call.

11:29:42 16 Q. What did Phil say?

11:29:44 17 A. That there was an opportunity at Apple and  
11:29:46 18 would I be interested in discussing it with him.

11:29:51 19 Q. Do you recall when he made that phone call?

11:29:55 20 A. No, not the specifics. No, not a specific  
11:29:59 21 time.

11:30:01 22 Q. Was it in 2001?

11:30:07 23 A. Yes, I believe it was.

11:30:10 24 Q. What month did you begin working at Apple?

11:30:12 25 A. It was around March or April.

11:30:16 1 Q. So in early 2001, Phil called you to tell you  
11:30:19 2 that there was an opportunity with Apple?

11:30:21 3 A. Yes.

11:30:23 4 Q. At the time, were you satisfied with your job  
11:30:27 5 at Adobe?

11:30:28 6 A. Less so.

11:30:29 7 Q. Why so?

11:30:32 8 A. I really enjoyed the company when Chuck and  
11:30:35 9 John were running it. They, you know, approached it  
11:30:37 10 from a certain perspective. And when there was the  
11:30:41 11 changeover in the management, it just became, in my  
11:30:46 12 opinion, a little bit too rigid.

11:30:50 13 Q. In what ways was it too rigid?

11:30:53 14 A. We were definitely following more of the -- you  
11:30:55 15 know, what are the numbers saying and everything, so it  
11:30:57 16 was more analytical. And there's nothing wrong with  
11:31:01 17 that. I think that was, given the size of the business  
11:31:02 18 and where it was going, is perfectly appropriate, but it  
11:31:05 19 wasn't as good of a fit for me.

11:31:07 20 Q. When you say you were following more of what  
11:31:09 21 the numbers were saying, what do you mean by that?

11:31:12 22 A. Well, just very good -- you know, a very strong  
11:31:15 23 focus on the financials, making sure that, you know,  
11:31:17 24 accurate forecasts were being made, accurate sales --  
11:31:20 25 you know, good sales were being made, and really

01:36:51 1 Q. Do you recognize this document?

01:36:53 2 A. Yes, I do.

01:36:55 3 Q. Is this a document that you reviewed in  
01:36:56 4 preparation for your deposition?

01:36:58 5 A. No, I didn't -- oh, that I reviewed? I'm  
01:37:01 6 sorry. Yes.

01:37:03 7 Q. Yes, you did review this document --

01:37:04 8 A. Yes.

01:37:04 9 Q. -- to prepare for your deposition?

01:37:06 10 A. I've seen this, yes.

01:37:09 11 Q. When was the last time you saw this document?

01:37:14 12 A. Probably when I wrote it back in 2010.

01:37:18 13 Q. You have not seen this document since learning  
01:37:21 14 that you would have your deposition taken; is that  
01:37:23 15 correct?

01:37:24 16 A. No.

01:37:27 17 Q. Can you tell me what this document is.

01:37:30 18 A. Yeah. This document is somewhat describing  
01:37:33 19 what I've spoken about before, [REDACTED]

01:37:39 20 [REDACTED]

01:37:43 21 [REDACTED]

01:37:46 22 [REDACTED] [REDACTED]

01:37:50 23 [REDACTED]

01:37:52 24 [REDACTED] [REDACTED] e

01:37:55 25 [REDACTED],

01:37:57 1

[REDACTED]

01:37:59 2

[REDACTED]

01:38:02 3

[REDACTED]

01:38:05 4

[REDACTED]

01:38:08 5

[REDACTED]

01:38:10 6

Q. So you're working within the corporate

01:38:12 7

guidelines to achieve those goals?

01:38:14 8

A. No. What I'm working with is a [REDACTED]

01:38:16 9

[REDACTED].

01:38:21 10

Q. What do you mean by [REDACTED]

01:38:23 11

A. [REDACTED]

01:38:26 12

[REDACTED]

01:38:30 13

[REDACTED]

01:38:33 14

[REDACTED]

01:38:37 15

[REDACTED]

01:38:39 16

[REDACTED].

01:38:42 17

Q. Let me back up.

01:38:43 18

You recognize that this is an email from you to

01:38:47 19

Philip Shoemaker; is that correct?

01:38:49 20

A. It's not Philip Shoemaker.

01:38:51 21

Q. Oh.

01:38:53 22

A. Oh, yes, I'm sorry, at the very top. Yes.

01:38:56 23

Q. Okay. So there are two emails, one is

01:38:58 24

forwarded, and the top email you recognize to be an

01:39:00 25

email from you to Phillip Shoemaker; is that correct?

01:39:03 1 A. Yes.

01:39:04 2 Q. And the second email in the chain is from Phil

01:39:09 3 Schiller to you with Paige Riveron --

01:39:15 4 Is that how you pronounce her name?

01:39:17 5 A. Riveron.

01:39:18 6 Q. -- Riveron, excuse me, copied on it; is that

01:39:21 7 accurate?

01:39:21 8 A. Yes.

01:39:22 9 Q. And at the top of the document, do you see your

01:39:23 10 name in the to line -- in the from line, excuse me?

01:39:25 11 A. Yes.

01:39:26 12 Q. And following your name is an email address.

01:39:28 13 Do you see that?

01:39:30 14 A. Yes.

01:39:30 15 Q. And is that the email address that you use at

01:39:33 16 Apple?

01:39:34 17 A. Yes. That's my corporate email address.

01:39:38 18 Q. That's the email address that you use to send

01:39:41 19 and receive emails?

01:39:42 20 A. Yes.

01:39:42 21 Q. And do you send and receive emails in the

01:39:45 22 ordinary course of business?

01:39:46 23 A. Yes.

01:39:49 24 Q. Has your email address changed since you've

01:39:52 25 been at Apple?

01:39:53 1 A. No.

01:39:59 2 Q. Who's Phillip Shoemaker?

01:40:01 3 A. Phillip Shoemaker is one of my direct reports

01:40:03 4 who handles part of the team.

01:40:05 5 Q. What's his job title?

01:40:07 6 A. Director of app review.

01:40:11 7 Q. And do you recognize that to be his email

01:40:13 8 address?

01:40:13 9 A. Yes.

01:40:16 10 Q. In the to line, excuse me.

01:40:18 11 A. Yes.

01:40:20 12 Q. Who is Paige Riveron?

01:40:24 13 A. Paige Riveron is one of the folks in our HR

01:40:28 14 team.

01:40:29 15 Q. And then there is a third email in the chain

01:40:37 16 that it looks like you sent on September 14th, 2010, at

01:40:41 17 3:06 p.m., and it looks like it's from you to Phil

01:40:44 18 Schiller; is that accurate?

01:40:50 19 A. Yes, that's what it appears to be.

01:41:00 20 Q. And in the email, the bottom email on this

01:41:03 21 page, you say, "[REDACTED]"

01:41:07 22 [REDACTED]

01:41:10 23 [REDACTED]

01:41:11 24 Do you see that?

01:41:12 25 A. Yes.

01:41:13 1 Q. And does that accurately describe the process  
01:41:15 2 you were just telling me?

01:41:18 3 MR. RILEY: Objection to the form of the  
01:41:19 4 question.

01:41:19 5 THE WITNESS: Yes. What -- what it means is,  
01:41:22 6 is that again, [REDACTED]

01:41:25 7 [REDACTED] [REDACTED]

01:41:28 8 [REDACTED]

01:41:30 9 MS. SCHALMAN-BERGEN: Q. And -- strike  
01:41:35 10 that.

01:41:36 11 When you say "all teams," who were you  
01:41:38 12 referring to?

01:41:45 13 A. This far back, I can't recall what I -- who I  
01:41:48 14 was referring to in the all teams.

01:41:54 15 Q. When you say, [REDACTED]

01:41:57 16 [REDACTED]

01:41:59 17 [REDACTED]

01:42:02 18 [REDACTED]

01:42:06 19 [REDACTED]

01:42:08 20 MR. RILEY: Objection to the form.

01:42:10 21 THE WITNESS: What I'm describing in salary  
01:42:12 22 range is what is the appropriate range based on job  
01:42:14 23 title.

01:42:17 24 MS. SCHALMAN-BERGEN: Q. The next sentence  
01:42:18 25 you say, [REDACTED]

01:42:20 1 [REDACTED]

01:42:23 2 [REDACTED]

01:42:25 3 Do you see that?

01:42:26 4 A. Yes.

01:42:26 5 Q. What did you mean by that?

01:42:28 6 A. [REDACTED]

01:42:30 7 [REDACTED]

01:42:33 8 [REDACTED] [REDACTED]

01:42:37 9 [REDACTED] [REDACTED]

01:42:40 10 [REDACTED]

01:42:43 11 [REDACTED]

01:42:47 12 [REDACTED]

01:42:50 13 [REDACTED]

01:42:54 14 [REDACTED] [REDACTED]

01:42:57 15 [REDACTED]

01:43:00 16 [REDACTED]

01:43:03 17 [REDACTED] [REDACTED]

01:43:05 18 [REDACTED],

01:43:08 19 [REDACTED]

01:43:11 20 [REDACTED].

01:43:15 21 Q. So you would -- in this email, are you saying

01:43:17 22 that [REDACTED]

01:43:19 23 [REDACTED]

01:43:21 24 [REDACTED]

01:43:24 25 [REDACTED]

01:43:25 1 MR. RILEY: Object to the form.

01:43:29 2 THE WITNESS: [REDACTED]

01:43:30 3 [REDACTED]

01:43:32 4 [REDACTED]

01:43:35 5 [REDACTED]

01:43:38 6 [REDACTED]

01:43:41 7 [REDACTED]

01:43:44 8 [REDACTED]

01:43:47 9 [REDACTED]

01:43:50 10 [REDACTED]

01:43:53 11 [REDACTED]

01:43:55 12 MS. SCHALMAN-BERGEN: Q. [REDACTED]

01:43:57 13 [REDACTED]

01:44:00 14 MR. RILEY: Object to the form of the question.

01:44:01 15 THE WITNESS: [REDACTED]

01:44:03 16 [REDACTED]

01:44:07 17 [REDACTED]

01:44:10 18 MS. SCHALMAN-BERGEN: Q. Down -- if you go

01:44:12 19 down to the two paragraphs, at the end of the second

01:44:17 20 paragraph up, you say, "[REDACTED]

01:44:21 21 [REDACTED]

01:44:23 22 [REDACTED]

01:44:27 23 [REDACTED]

01:44:29 24 Do you see that?

01:44:30 25 A. Uh-huh.

01:52:30 1 THE WITNESS: Yes. I wouldn't -- I wouldn't  
01:52:31 2 know based on what somebody would think.

01:52:35 3 MS. SCHALMAN-BERGEN: Q. Well, you're a  
01:52:36 4 manager --

01:52:36 5 A. Uh-huh.

01:52:36 6 Q. -- so you're -- in this email, you're --

01:52:39 7 A. Uh-huh.

01:52:39 8 Q. -- you're here saying bonuses should be at  
01:52:42 9 amounts equitable to the rest of the team. So I'm just  
01:52:45 10 trying to get at what you mean by that. You know, in  
01:52:47 11 your experience, is it important that people are  
01:52:50 12 receiving compensation at the level that is appropriate?  
01:52:53 13 And if compensation is off, does that affect  
01:52:58 14 productivity?

01:52:59 15 MR. RILEY: Objection. It's a multiple  
01:53:00 16 compound question, misstates the document and prior  
01:53:04 17 testimony.

01:53:04 18 THE WITNESS: Okay. First question. Instead  
01:53:05 19 of many questions, can you start with the first question  
01:53:08 20 in that chain?

01:53:10 21 MS. SCHALMAN-BERGEN: Q. Sure.

01:53:12 22 If compensation is inequitable between a  
01:53:16 23 range --

01:53:16 24 A. Uh-huh.

01:53:16 25 Q. -- in your experience as a manager, would that

01:53:18 1 impact the productivity of employees?

01:53:21 2 MR. RILEY: Object to the form of the question.

01:53:23 3 THE WITNESS: Again, it's speculative whether  
01:53:25 4 it would impact the productivity or not. I mean, people  
01:53:28 5 are different.

01:53:28 6 MS. SCHALMAN-BERGEN: Q. Is equitable  
01:53:31 7 compensation something that you consider when making  
01:53:34 8 management decisions about salaries?

01:53:37 9 MR. RILEY: Object to the form of the question.

01:53:39 10 THE WITNESS: Well, again, what we take a look  
01:53:41 11 at, going back to what we've been discussing, is we make  
01:53:44 12 sure that the compensation that we provide people at  
01:53:46 13 positions is within the ranges that we discuss. And,  
01:53:50 14 again, there's variability in that range based on  
01:53:53 15 performance.

01:53:59 16 MS. SCHALMAN-BERGEN: Q. And would you  
01:53:59 17 agree that it's important, generally, to hire within  
01:54:02 18 a salary range to preserve equity between employees  
01:54:06 19 performing similar jobs?

01:54:08 20 MR. RILEY: Objection to the form of the  
01:54:08 21 question.

01:54:10 22 THE WITNESS: I believe that you take a look at  
01:54:12 23 the job opening that we have, the position that we hire  
01:54:15 24 for, and, again, you look for people who are best fit  
01:54:18 25 for the job. And that is defined -- the pay scale is

01:54:24 1 going to be defined on what that job is.

01:54:29 2 MS. SCHALMAN-BERGEN: Q. I'm not sure you  
01:54:29 3 answered my question. Can we try one more time?

01:54:31 4 A. Sure.

01:54:32 5 MS. SCHALMAN-BERGEN: Can you read that back.

01:54:45 6 (Record read as follows: And would you agree  
01:54:45 7 that it's important, generally, to hire within  
01:54:45 8 a salary range to preserve equity between  
01:54:45 9 employees performing similar jobs?)

01:54:47 10 MR. RILEY: Object to the form of the question.

01:54:51 11 THE WITNESS: I think I did answer it, is that  
01:54:53 12 we have position descriptions, and within that position  
01:54:57 13 description, there is a salary range. And we bring in  
01:55:01 14 the person against that position based on the best  
01:55:04 15 qualified candidate, and it should fit within that  
01:55:08 16 range; otherwise, we haven't scoped the job right.

01:55:11 17 MS. SCHALMAN-BERGEN: Q. And is one of the  
01:55:12 18 reasons for the range to make sure there is equity  
01:55:14 19 between employees' salaries performing similar jobs?

01:55:17 20 MR. RILEY: Object to the form of the question.

01:55:19 21 THE WITNESS: I don't know if it's equity or  
01:55:21 22 not. What I really know is, though, that when we do  
01:55:23 23 this, it's really to make sure that we have competitive  
01:55:26 24 salaries, because that's one of the things we want to  
01:55:28 25 make sure is that when people do look at jobs at other

01:55:32 1 places, again, those type of things are okay so we can  
01:55:37 2 hire the candidates we want.

01:55:38 3 MS. SCHALMAN-BERGEN: Q. Describe to me  
01:55:39 4 what you mean by "competitive salaries."

01:55:41 5 A. That if somebody is doing a type of job at one  
01:55:43 6 company, say, again, you know, it's a director job of  
01:55:46 7 product marketing, and then they go to another director  
01:55:48 8 job of product marketing, that there is enough range in  
01:55:53 9 there so that you can attract one person from one  
01:55:56 10 company to the other.

01:55:57 11 Q. So it's important for Apple to be pricing the  
01:56:01 12 job ranges at rates that are competitive with other  
01:56:04 13 companies that Apple may compete with for employees?

01:56:08 14 MR. RILEY: Object to the form.

01:56:09 15 THE WITNESS: I would just say that's one of  
01:56:11 16 the things. There may be other things that could factor  
01:56:13 17 into that in terms of how people -- how people in job  
01:56:16 18 classifications are priced.

01:56:19 19 MS. SCHALMAN-BERGEN: Q. But that is one  
01:56:20 20 of the things, yes?

01:56:22 21 MR. RILEY: Object to the form.

01:56:23 22 THE WITNESS: It could be one of them.

01:56:29 23 MS. SCHALMAN-BERGEN: Q. What other  
01:56:30 24 companies does Apple compete with for employees?

01:56:35 25 MR. RILEY: Object to the form.

01:56:40 1 THE WITNESS: We look -- we look for the best  
01:56:43 2 candidates we can find. And so I wouldn't necessarily  
01:56:47 3 say that we're competing with people. I think we're all  
01:56:49 4 there trying to get the best candidates. And so, again,  
01:56:53 5 it depends upon if we have something that's attractive  
01:56:56 6 that people want to sign up for and join, versus them  
01:56:59 7 thinking something else is more attractive.

01:57:02 8 MS. SCHALMAN-BERGEN: Q. When you said  
01:57:03 9 "competitive salaries," are there specific companies  
01:57:06 10 that Apple uses as a benchmark of what a competitive  
01:57:09 11 salary would be?

01:57:10 12 A. I wouldn't know that.

01:57:23 13 Q. If Apple doesn't use -- doesn't take into  
01:57:27 14 consideration competitive salaries, do you risk losing  
01:57:30 15 employees? Do you have a problem with retention?

01:57:33 16 MR. RILEY: Objection. It's a multiple-part  
01:57:35 17 question. Object to the form.

01:57:37 18 THE WITNESS: Yes. Can you break that down to  
01:57:39 19 one question first, please.

01:57:41 20 MS. SCHALMAN-BERGEN: Q. If Apple doesn't  
01:57:42 21 take into consideration competitive salaries, do you  
01:57:44 22 risk losing employees?

01:57:47 23 MR. RILEY: Object to the form.

01:57:51 24 THE WITNESS: Again, when we take a look at --  
01:57:53 25 when we have an open position and we were looking for

01:57:55 1 people we'd like to hire, we want to make sure that we  
01:57:58 2 can make an offer that we can hire them.

01:58:03 3 MR. RILEY: Q. If Apple does not have  
01:58:05 4 competitive salaries, would you risk having a  
01:58:09 5 problem with retention?

01:58:11 6 MR. RILEY: Object to the form of the question.  
01:58:13 7 Hypothetical.

01:58:19 8 THE WITNESS: No. I think it depends -- it's a  
01:58:21 9 case-by-case basis dependent upon the employee. I think  
01:58:25 10 everybody has -- you know, let's take my case in point.  
01:58:30 11 You asked me several times about whether or not I asked  
01:58:34 12 for compensation increases based on potential job offers  
01:58:37 13 and things like that. And it's just one of the things I  
01:58:40 14 think people put to consideration. That's just one of  
01:58:42 15 the -- that's one of the factors in retention.

01:58:46 16 Retention is very, you know, it's complex because I  
01:58:48 17 think it's based on a lot of the individual.

01:58:50 18 MS. SCHALMAN-BERGEN: Q. Well, as a  
01:58:51 19 manager, you're kind of looking big picture at  
01:58:53 20 things. And so if, for example, Apple was paying  
01:58:58 21 well below market rate, would you be concerned that  
01:59:02 22 you might lose employees?

01:59:04 23 MR. RILEY: Object to the form of the question.

01:59:17 24 THE WITNESS: You know, it would just, again,  
01:59:18 25 be one of the factors. I think, again, retention is a

01:59:21 1 very complex thing. Again, just using myself as an  
01:59:26 2 example, I took a reduction in my title from a VP title  
01:59:29 3 to director title because I saw an opportunity. And I  
01:59:33 4 believe that with respect to retention, again, every  
01:59:36 5 individual, I think, has their factors of what makes  
01:59:39 6 them happy in their job.

01:59:41 7 MS. SCHALMAN-BERGEN: Q. But retention  
01:59:42 8 would be something that would be considered if -- in  
01:59:44 9 that scenario where Apple was compensating its  
01:59:47 10 employees at well below market?

01:59:49 11 MR. RILEY: Object to the form of the question.

01:59:50 12 THE WITNESS: No. What I said was is that, you  
01:59:51 13 know, you -- that -- what I said was is that when you  
01:59:54 14 take a look at this notion of retention, retention is a  
01:59:57 15 very -- is a very interesting thing, because every  
01:59:59 16 single person has their own motivations and their own  
02:00:02 17 factors for why they choose a job, for one instance, and  
02:00:05 18 why they stay in the job. And so when you talk about  
02:00:10 19 the reasons for it, you know, it's a multi-factored  
02:00:14 20 decision, I believe.

02:01:05 21 MS. SCHALMAN-BERGEN: Q. During the time  
02:01:07 22 you worked -- you've been working at Apple, we  
02:01:11 23 talked a little bit about the collaborations between  
02:01:13 24 Apple and Adobe.

02:01:15 25 A. Uh-huh.

02:01:16 1 Q. And I want to ask you some questions about what  
02:01:18 2 sorts of work has been going on, what kind of  
02:01:22 3 collaborations were going on between Apple and Adobe  
02:01:24 4 during the time you've worked there.

02:01:26 5 A. Uh-huh.

02:01:26 6 Q. Okay?  
02:01:27 7 You mentioned two types of events that you'd  
02:01:30 8 consider to be major collaborations. Those were  
02:01:33 9 platform changes and integration of operating system.  
02:01:37 10 So since you've joined Apple, have Apple and Adobe  
02:01:41 11 worked on a platform change together?

02:01:44 12 MR. RILEY: Objection. Misstates his prior  
02:01:46 13 testimony.

02:01:48 14 THE WITNESS: The collaboration that we have  
02:01:50 15 going on between Apple and Adobe is pretty much ongoing,  
02:01:53 16 because they're constantly updating their software,  
02:01:57 17 we're constantly updating our operating system and our  
02:02:01 18 hardware. And, therefore, there is multiple instances.  
02:02:04 19 It's not just necessarily a platform change. It could  
02:02:06 20 be a software upgrade, it could be going to a different  
02:02:10 21 speed range of a CPU inside of a computer.

02:02:12 22 Any one of those events would have the need for  
02:02:14 23 collaboration for, you know, what we talked about  
02:02:17 24 earlier, which is the -- the products working well,  
02:02:21 25 being compatible, and that's an ongoing thing.

02:02:25 1 So in the case of what we did with the two big  
02:02:29 2 ones that affected most developers, one, of course, was  
02:02:32 3 the switch from OS -- from System 9 over to OS X, and  
02:02:35 4 the second, which was the switch from the powered PC CPU  
02:02:39 5 architecture to the Intel architecture.

02:02:42 6 MS. SCHALMAN-BERGEN: Q. So the answer to  
02:02:43 7 my question is yes, there has been collaboration  
02:02:48 8 with Adobe that involved a platform change?

02:02:50 9 A. Yes, there has been collaboration of Adobe  
02:02:52 10 involving platform change, but there's also been  
02:02:55 11 constant collaboration even between those periods,  
02:02:58 12 because, again, as I said, with respect to OS updates,  
02:03:02 13 CPU updates, regardless, but that's a change in the -- a  
02:03:04 14 major change of the platform, that's an ongoing  
02:03:07 15 exercise.

02:03:07 16 MS. SCHALMAN-BERGEN: I'm going to move to  
02:03:09 17 strike that as not responsive. That's -- was not my  
02:03:11 18 question.

02:03:11 19 Q. Between 2001 --

02:03:12 20 MR. RILEY: I believe it was responsive to your  
02:03:14 21 question.

02:03:14 22 MS. SCHALMAN-BERGEN: Q. Between 2001 and  
02:03:16 23 2009, there have been platform changes with Apple  
02:03:22 24 that involved collaborations with Adobe; is that  
02:03:24 25 fair to say?

02:03:27 1 A. Yes.

02:03:28 2 Q. Okay. And with respect to integration of  
02:03:30 3 operating systems, is that a collaboration that Apple  
02:03:33 4 and Adobe have worked on together since 2001?

02:03:36 5 A. Well, let me -- let me point out two things.

02:03:42 6 The first, is as far as the platform changes,  
02:03:44 7 the platform changes, there are major things that we do,  
02:03:49 8 but then there's also the ongoing stuff that we always  
02:03:52 9 do. And with respect to that work, there's always the  
02:03:54 10 need for collaboration because the two companies have to  
02:03:57 11 work together to make that stuff work.

02:03:59 12 Then with respect to integration, integration  
02:04:03 13 could be something that Adobe could do potentially, but  
02:04:06 14 it's also things that we do with other partners. For  
02:04:08 15 example, one can say that when we went from the power PC  
02:04:12 16 architecture to the Intel architecture, that  
02:04:15 17 architecture was basically integrating that new CPU onto  
02:04:24 18 our -- onto our machines.

02:04:25 19 So -- I'm sorry, your question again?

02:04:26 20 Q. Right.

02:04:27 21 A. Make sure I --

02:04:26 22 Q. I understand that maybe you may have talked  
02:04:28 23 about other collaborations --

02:04:30 24 A. Yeah.

02:04:30 25 Q. -- during the break with counsel, but that's

03:29:02 1 THE WITNESS: I can't remember it was before or  
03:29:03 2 after. I believe it was -- actually, you know what, I  
03:29:08 3 just can't remember what the time frame was for both of  
03:29:10 4 those.

03:29:11 5 MS. SCHALMAN-BERGEN: Q. I just want to  
03:29:12 6 make sure that the testimony is clear. Before, I  
03:29:14 7 thought you were saying that the issue came to your  
03:29:16 8 attention because of an incident with Garmin.

03:29:19 9 A. Uh-huh.

03:29:20 10 Q. And then you spoke with Mark about Adobe. Is  
03:29:22 11 that not your testimony?

03:29:25 12 MR. RILEY: Objection. Misstates his  
03:29:26 13 testimony.

03:29:29 14 THE WITNESS: What I used is Garmin as an  
03:29:31 15 example of where cold calling was done -- it could have  
03:29:37 16 done harm to the work that we were trying to get done.  
03:29:39 17 You know, we were trying to get the port completed. And  
03:29:43 18 Garmin had expressed concern over what they had done. I  
03:29:47 19 had also had concerns that other companies that we would  
03:29:51 20 work with that if these things occurred, it could also  
03:29:54 21 get in the way of the work that we were trying to get  
03:29:57 22 done.

03:29:59 23 MS. SCHALMAN-BERGEN: Q. So what led you  
03:30:00 24 to be concerned that cold calling might get in the  
03:30:04 25 way of work to be done with Adobe?

03:30:08 1 A. Because I explained to you, in this situation,  
03:30:10 2 we're working very closely with these guys, you know,  
03:30:14 3 these are complex things we're working on. We're in a  
03:30:17 4 face-to-face situation. Our guys would -- you know, we  
03:30:21 5 would have meetings, we would get together, and then  
03:30:22 6 we'd, you know, get together again just a few days  
03:30:25 7 later.

03:30:27 8 And one of the things that we wanted to do is  
03:30:29 9 really establish this collaboration, you know, this  
03:30:32 10 spirit of collaboration that we have, that their best  
03:30:36 11 efforts and our best efforts would go forward to making  
03:30:39 12 sure that the products came out in a really good way.

03:30:43 13 And what cold calling would do is it would  
03:30:46 14 make -- it could make managers and others wonder, why  
03:30:52 15 are the -- you know, are those meetings -- are -- is the  
03:30:56 16 frequency and the extent of those meetings going to be  
03:30:59 17 something that's going to lead to Apple people just, you  
03:31:04 18 know, again divebombing with phone calls to a bunch of  
03:31:08 19 people, or can we really do that and make sure that the  
03:31:11 20 people can stay focused on the work and get that work  
03:31:14 21 done?

03:31:16 22 MS. SCHALMAN-BERGEN: Q. Well, Apple and  
03:31:17 23 Adobe have had a partnership since before you  
03:31:19 24 started working at Apple; is that accurate?

03:31:21 25 A. Yes.

03:31:23 1 Q. When would you say the partnership began?

03:31:29 2 A. I'd have to say it was probably back in the  
03:31:33 3 time when John Warnock created the first PDF desktop  
03:31:39 4 publishing system for the Apple.

03:31:41 5 Q. In the early '80s; does that sound right?

03:31:45 6 A. Sounds right, yes.

03:31:47 7 Q. And in 1990, Photoshop was introduced on Mac  
03:31:52 8 only; is that right?

03:31:54 9 A. I can't recall if that was the case or not.

03:31:56 10 Q. And did Apple collaborate with Adobe on  
03:31:59 11 QuickTime?

03:32:05 12 A. Yes, I believe they did.

03:32:07 13 Q. What is QuickTime?

03:32:09 14 A. QuickTime is basically a software piece that  
03:32:13 15 allows you to view movies and things inside of a  
03:32:16 16 computer.

03:32:22 17 Q. When was QuickTime released?

03:32:24 18 A. I don't know.

03:32:26 19 Q. Prior to the time that you joined Adobe?

03:32:30 20 A. Yes, I believe so.

03:32:35 21 Q. And in 1994, Adobe released After Effects for  
03:32:40 22 the Mac; is that right?

03:32:43 23 A. Again, I don't know.

03:32:46 24 Q. What's After Effects?

03:32:48 25 A. After Effects is a video -- actually, it's a

03:37:33 1 being a party -- to running developer relations. And in  
03:37:36 2 the product management vein, you know, we were kind of  
03:37:39 3 pretty much downward focused in terms of making this  
03:37:41 4 stuff work. And what we cared about was making sure  
03:37:44 5 that we got the right support from Apple so that these  
03:37:47 6 things did work.

03:37:48 7 And that changed when I went from Adobe to  
03:37:51 8 Apple and I became the vice president of developer  
03:37:54 9 relations. So in that respect, you know, my perspective  
03:37:59 10 changed because my perspective now is making sure that  
03:38:02 11 we have the right environment for both of our teams to  
03:38:05 12 be able to go and, you know, create, again, a great  
03:38:08 13 product.

03:38:08 14 Because I think it bears in mind that at the  
03:38:15 15 time, the Mac platform was going through the changes  
03:38:17 16 because it really needed to get up to speed. And so it  
03:38:20 17 was very critical that certain applications get moved  
03:38:22 18 over. And, you know, again, this is coming from my new  
03:38:27 19 job as VP of product -- of, rather, developer relations.  
03:38:31 20 And Adobe then became a very important product -- or  
03:38:34 21 rather, it had always been a very important partner.  
03:38:37 22 But getting things like Photoshop and some of the  
03:38:39 23 products that you just described was very, very  
03:38:43 24 important.

03:38:43 25 And so with the job that I had as being the VP

03:38:48 1 of developer relations, I wanted to make sure that those  
03:38:52 2 conditions, to making sure that that goal got achieved,  
03:38:55 3 were in the best shape possible.

03:39:02 4 Q. While you were at Adobe, did you ever become  
03:39:04 5 aware that cold calling -- Apple's cold calling into  
03:39:09 6 Adobe disrupted the making stuff work between Apple and  
03:39:13 7 Adobe?

03:39:18 8 MR. RILEY: Objection to the form of the  
03:39:19 9 question.

03:39:20 10 THE WITNESS: Can you say -- can we go over  
03:39:20 11 that question again, please.

03:39:22 12 MS. SCHALMAN-BERGEN: Q. Sure.

03:39:24 13 While you were at Adobe working on the InDesign  
03:39:28 14 collaboration between Adobe and Apple, were you ever  
03:39:31 15 made aware that cold calling from Apple into Adobe or  
03:39:35 16 Adobe into Apple disrupted the collaborations between  
03:39:39 17 the two companies?

03:39:42 18 A. For the job that I was doing at the time, I had  
03:39:45 19 no direct -- I had no direct feedback or heard anything  
03:39:49 20 of that nature.

03:39:53 21 Q. Do you know whether Apple was making cold calls  
03:39:55 22 into Adobe during that time period?

03:39:57 23 A. No, I don't know.

03:40:01 24 Q. Do you know whether Adobe was making cold calls  
03:40:04 25 into Apple during that time period?

03:40:05 1 A. No, I don't know.

03:40:06 2 And to be clear, this is while I was at Adobe?

03:40:09 3 Q. While you were at Adobe, yes.

03:40:10 4 A. Okay.

03:40:22 5 Q. While you were at Adobe, did you ever become

03:40:24 6 aware that collaborations between any company were being

03:40:28 7 impacted because the companies were cold calling into

03:40:30 8 each other?

03:40:37 9 A. While I was at Adobe?

03:40:40 10 Q. Yes.

03:40:41 11 A. I don't believe so.

03:40:48 12 MR. RILEY: We've been going about an hour.

03:40:49 13 MS. SCHALMAN-BERGEN: Okay. We can take a

03:40:51 14 break.

03:40:51 15 THE VIDEOGRAHER: This is the end of video

03:40:52 16 No. 5. The time is 3:40 p.m. We're going off the

03:40:56 17 record.

03:40:57 18 (Recess taken.)

03:52:02 19 THE VIDEOGRAHER: This is the beginning of

03:58:06 20 video No. 6 in the deposition of Ron Okamoto. The time

03:58:10 21 is 3:58 p.m. We're back on the record.

03:58:14 22 MS. SCHALMAN-BERGEN: Q. Mr. Okamoto, is

03:58:15 23 there any reason why you can't continue to give me

03:58:17 24 your best testimony?

03:58:18 25 A. No.

1 I, Gina V. Carbone, Certified Shorthand  
2 Reporter licensed in the State of California, License  
3 No. 8249, hereby certify that the deponent was by me  
4 first duly sworn and the foregoing testimony was  
5 reported by me and was thereafter transcribed with  
6 computer-aided transcription; that the foregoing is a  
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or  
9 attorney for either of any of the parties in the  
10 foregoing proceeding and caption named or in any way  
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of  
13 the original transcript will render the reporter's  
14 certificates null and void.

15 In witness whereof, I have hereunto set my  
16 hand this day: March 11, 2013.

17 \_\_\_\_\_ Reading and Signing was requested.

18 \_\_\_\_\_ Reading and Signing was waived.

19 \_\_\_X\_\_\_ Reading and signing was not requested.

20

21

22

23

\_\_\_\_\_  
GINA V. CARBONE

24

CSR 8249, CRR, CCRR

25